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SEP 28 2004

001/037

PTO/SB/21 (04-04)

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/770,719
	Filing Date	February 3, 2004
	First Named Inventor	Rubino et al.
	Art Unit	2872
	Examiner Name	Not Yet Known
Total Number of Pages in This Submission	Attorney Docket Number	OIC-PT024.1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Accept Declaration on Behalf of Inventor; Declaration in Support of Petition; Declaration signed by one (1) inventor
Remarks _____		

**OFFICIAL FACSIMILE**

37 PAGES SENT VIA FACSIMILE TO 703-872-9306.  
PLEASE IMMEDIATELY DELIVER TO GROUP ART UNIT 2872.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Dimitri P. Dovas	Reg. No. 51,627
Signature		
Date	September 28, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being sent Via Facsimile (703-872-9306) addressed to: Group Art Unit 2872 on this date:

Typed or printed name	Dimitri P. Dovas		
Signature		Date	September 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**SEP 28 2004**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Rubino et al.

**Application No.:** 10/770,719

**Confirmation No.:** 2277

**Filed:** February 3, 2004

**For:** RUGGEDIZED OPTICAL FIBER  
REARRANGEMENT DEVICE

**Group:** 2872

**Examiner:** Not Yet Known

**Our File:** OIC-PT024.1

**Date:** September 28, 2004

**COMMUNICATION IN RESPONSE TO  
NOTICE TO FILE MISSING PARTS OF  
NON-PROVISIONAL APPLICATION**

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application  
mailed from the Office on May 3, 2004, the following are enclosed:


1. Copy of Notice to File Missing Parts of Non-Provisional  
Application;
2. Declaration for Patent Application signed by the third named  
inventor;
3. Petition under 37 C.F.R. §1.47(a) to Accept Declaration on  
Behalf of Inventor Who Refuses to Join;

**Applicant:** Rubino, et al.  
**Application No.:** 10/770,719

4. Declaration of Mr. Randolph J. Huis In Support Of Petition Under 37 C.F.R. §1.47(a) with Exhibits A-E;
5. Petition for Extension of Time under 37 C.F.R. §1.136(a);
6. Fee Transmittal Form; and
7. Form PTO-2038 in the amount of \$1,210 as payment of the petition, late oath filing surcharge and extension of time fees for a large entity.

Respectfully submitted,

Rubino et al.

By   
Dimitri P. Dovas  
Registration No. 51,627  
(215) 568-6400

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17<sup>th</sup> Street  
Philadelphia, PA 19103

DPD/pf  
Enclosures

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www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/770,719	02/03/2004	Robert A. Rubino	OIC-PT024.1

3624  
VOLPE AND KOENIG, P.C.  
UNITED PLAZA, SUITE 1600  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

CONFIRMATION NO. 2277

## FORMALITIES LETTER



"OC000000012509993"

Date Mailed: 05/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Robert A. Rubino, Kevin A. Tabor*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
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*A copy of this notice **MUST** be returned with the reply.*

09/29/2004 MAHME1 00000014 10770719

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE